

## REGULATORY FRAMEWORK

### INTRODUCTION

The regulatory framework refers to the local laws and regulations that are intended to influence land and building usage and development in the Thermopolis area. This regulatory framework is an important consideration in local planning. Thermopolis has codified ordinances passed by the Town Council. These are incorporated into a single document entitled “The Code of the Town of Thermopolis.” A large portion of Hot Springs State Park, comprised of state lands, lies within the town boundaries and is generally guided by a different set of rules and guidelines. Outside of the town boundaries, the rules and policies of adjoining East Thermopolis and Hot Springs County are in effect.

### THERMOPOLIS

Thermopolis Town Code is dated July 14, 2008 and includes ordinances passed through April 15, 2008. The entire code is available on the town’s website.

The Code has 15 different chapters:

1. General Provisions
2. Administration
3. Alcoholic Beverages
4. Animal and Fowl
5. Building Regulations
6. Courts, Fines, Imprisonment, and Police
7. Engineering Requirements
8. Fire Prevention and Protection
9. Licenses and Franchises
10. Motor Vehicles and Traffic
11. Offense – Miscellaneous
12. Peddlers and Transient Merchants
13. Subdivisions
14. Water, Sewer and Sanitation
15. Zoning

There is no time schedule for incorporating new ordinances into the code. Until such time as ordinances are codified, they are kept in a separate file (Crosby).

Of particular interest for land use are the chapters on building regulations; engineering requirements; subdivisions; water, sewer and sanitation; and zoning.

### Building Regulations

A town permit is needed for any proposed project to build, construct, alter, move, improve, remove, repair, convert, demolish or locate any building or structure or appurtenances. Building regulations address fire code, mechanical code, plumbing code, building conservation, dangerous buildings, mobile homes, flood damage protection, and above-ground storage tanks. Generally, the codes incorporate the International Building Code (IBC), and in cases of conflict between the Town code and IBC, the more restrictive applies. Codes are administered and enforced by the Town Code Administrator. The flood damage protection section is essentially the town's floodplain ordinance incorporated into code.

### Engineering Requirements

This chapter of the code establishes the office of Town Engineer and Surveyor, which is responsible for supervising and superintending the construction of municipal works, sidewalks, sewers, paving, grading, water works, electrical works and other municipal works. This chapter sets standards for excavations; sanitary sewers and water mains; other utilities; streets, curbs, sidewalks, gutters, and alleys.

### Subdivision

A subdivision is defined by the code as, "The division of a tract or parcel of land into three or more parts for the purpose, whether immediate or future, of sale or of building development." This chapter describes the process for subdividing property within the Town and establishes standards (such as for utilities, streets, water and sewage, etc.). The Planning and Zoning Commission review subdivision applications and make a recommendation to the Town Council, which then makes the final decision.

The first article of this chapter is entitled "Utilities, Extensions and Annexation Policies." This section clarifies that no Town water and sewer services shall extend beyond the corporate limits, except where there is a joint powers agreement or other agreement acceptable to the Council. Annexation is not specified as a condition of approval for extension of utilities. Annexation is referenced once later in the chapter as follows:

13.308. "...The subdivider shall dedicate all surface water rights appurtenant to the property subdivided as well as shares in canals and ditches to the Town before annexation."

The only other specific reference to annexation is in the chapter on zoning, which states in section 15.105 that, "Petitions for annexation shall be accompanied by a written request for a zoning designation for the proposed addition."

## Zoning

The Town is divided into 11 zoning districts:

1. Low Density Residential
2. Medium Density Residential
3. General Residential
4. Redevelopment

Currently there is no Redevelopment District. This is a special purpose district that will be mapped to facilitate the public or private redevelopment of a blighted area where housing quality and values are continually deteriorating or to facilitate a planned unit development (PUD) of unimproved land.

5. Central Business
6. Highway Business
7. Industrial
8. Agricultural
9. Open Space
10. Residential Estate
11. State Park

This district basically allows for all uses approved by the Wyoming Recreation Commission.

The zoning regulations define allowable “uses-by-right” and conditional uses for each district. The regulations also set performance standards for such things as building height, lighting, accessory buildings, parking/loading, signage, home occupations, riverfront development, fencing, mobile home parks, and carports.

Zoning regulations set process and standards for splitting lots into two parcels (which by definition is not addressed by the subdivision regulations).

Of particular interest to the update of the master plan is that the zoning regulations include a master plan policy checklist.

**EAST THERMOPOLIS**

East Thermopolis has zoning code, zoning map, and building codes. Subdivisions are required to follow state law. (Free)

**HOT SPRINGS COUNTY**

Outside of the boundaries of the Town of Thermopolis and adjoining East Thermopolis, Hot Springs County regulations and policies are in effect. The Town does have joint approval of subdivisions within one mile of the town boundary.

Hot Springs County's 2002 Land Use Plan includes a development permit system and subdivision regulations into one document. Chapter Four of the Land Use Plan is entitled "Permits" and indicates permits are required for the following:

1. Land Use Change Permits  
Required for any type of land use change; agricultural to residential, industrial or commercial, residential to industrial or commercial, etc.
2. In Home Occupation Permit  
Required for all in home occupations/businesses
3. Subdivision Permits  
Required for all subdivision projects
4. Solar Access Permits  
Such permits are not required, but are recorded to protect solar property rights

Other chapters address road and bridge standards, carrying capacity (density) standards, mobile home park design, subdivision plat requirements, and variances.

Hot Springs amended the Land Use Plan in 2005 with the Natural Resources Plan for State and Federal Lands.

The county also issues septic system permits.

**HOT SPRINGS STATE PARK**

Land uses in Hot Springs State Park are reviewed and approved by the Wyoming Department of State Parks. All of the non-state uses on the park (which includes most developments with the exception of Park Headquarters and the State Bath House) are on leased lands. The duration and terms of the lease vary. The Department is currently working to standardize leasing procedures and terms. (Skates)

**CONCLUSIONS**

Town code is detailed and well-written. There is, however, little guidance in either the Town's code or Hot Springs County planning documents for how the two governments will coordinate on matters of joint interest such as annexation. The town code provides limited specific requirements related to annexation, but does not identify the criteria by which a proposed annexation would be considered or approved. The town code provides only limited criteria for approving extension of utilities to areas outside of the municipal boundaries.

**SOURCES:**

Crosby, Fred. Town Code Administrator. Personal communication, March 2010.

Free, Linda. Town Clerk and Treasurer. East Thermopolis. Personal communication, March 24, 2010.

Hot Springs County Land Use Plan. 2002. [http://www.hscounty.com/Upload/File/20080811\\_538\\_land\\_use\\_plan\\_1.doc](http://www.hscounty.com/Upload/File/20080811_538_land_use_plan_1.doc)

Hot Springs County Natural Resources Plan for State and Federal Lands, An Addendum to the Revised Hot Springs County Land Use Plan of 2002. March 17, 2005. [http://www.hscounty.com/Upload/File/20080811\\_780\\_Hot\\_Springs\\_county\\_LUP\\_1-5-05.doc](http://www.hscounty.com/Upload/File/20080811_780_Hot_Springs_county_LUP_1-5-05.doc)

Skates, Kevin. Superintendent, Hot Springs State Park. Personal communication, March 22, 2010.

Thermopolis Zoning Map. Accessed March 19, 2010. <http://www.townofthermopolis.com/maps/zonemap.pdf>

Thermopolis Code. Accessed from the Town website March 22, 2010. <http://www.townofthermopolis.com>